

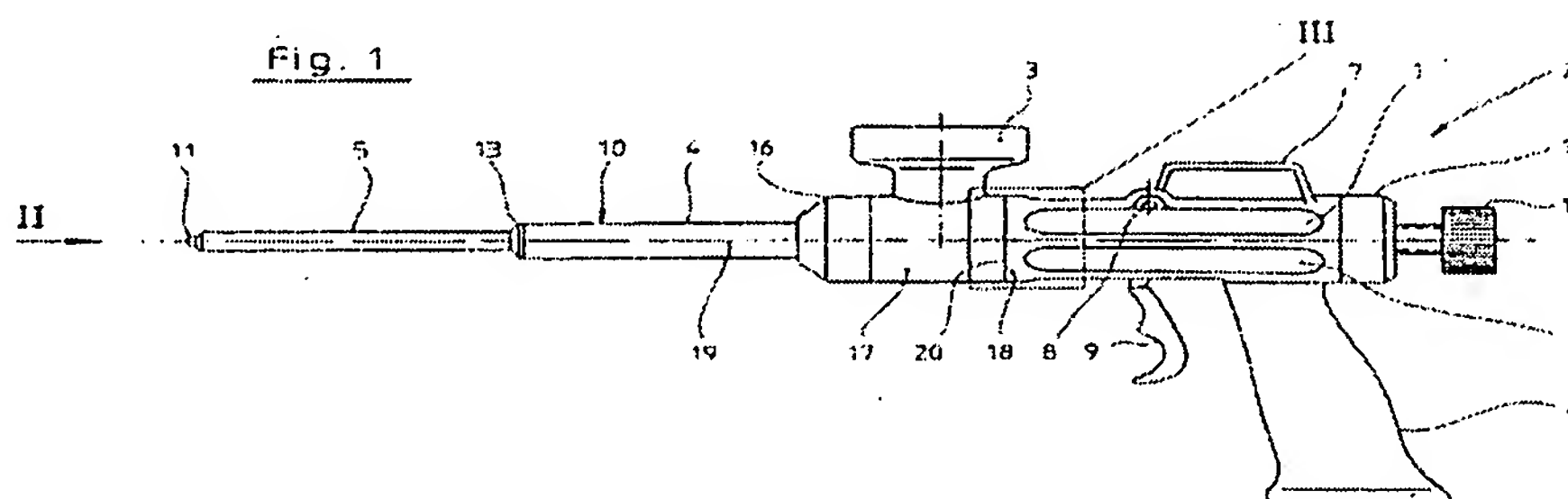
REMARKS

Claims 6 – 14 are pending. No claims have been amended, canceled, withdrawn from consideration, or added by this submission.

Claims 6, 13 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,875,971 (Morck). Claims 7 – 12 were objected to as being dependent upon a rejected base claim but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. While the indication of allowable subject matter is appreciated, Applicants believe that claims 6, 13 and 14 are patentable over Morck. Accordingly, these rejections are respectfully traversed and reconsideration of the application is requested.

According to the Patent Office, “Morck discloses a fluid spraying apparatus comprising a spray gun having an inlet, a reservoir for a fluid to be sprayed (column 3, line 40), a connector means 30 connecting an outlet from the reservoir to the inlet of the spray gun in use ....”

Morck describes “a spray gun [that] is suitable for discharging plastic sealing foams, for example, polyurethane foams.”<sup>1</sup> As shown in FIG. 1, reproduced below, the spray gun includes a handle part 6 and a housing 2 having a connecting part 3 for a pressure can (not shown).<sup>2</sup> Morck



<sup>1</sup> Column 1, lines 10-11.

<sup>2</sup> See Column 1, lines 3-4 and Column 3, lines 37-42.

provides the following description:

On dividing line 20 housing 2 is divided into housing part 17 with connecting part 3 and housing part 18 with handle part 6. Housing part 17 bearing connecting part 3 for the pressure can for the medium is adapted to be rotated around axis 19 of nozzle needle 12 relative to housing part 18 bearing handle part 6.<sup>3</sup>

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Snap-in system 30 is disposed between housing part 17 bearing connecting part 3 and housing part 18 bearing handle part 6.<sup>4</sup>

Snap-in system 30 is best seen in FIG. 3 and, as Applicants' understand Morck and the Office action, the snap-in system has been equated with Applicants' claimed "connector means." Applicants respectfully disagree with this interpretation of Morck.

Snap-in system 30 is disposed between housing part 17 and housing part 18. Thus, Applicants understand that their claimed spray gun inlet has been associated with housing part 18 in Morck. However, as stated in the following passages, the polyurethane foam in Morck cannot pass into housing part 18.

In a housing part 17 there is furthermore a sliding seat (not shown) for nozzle needle 12 which at the same time constitutes the rear limit of projection bore 29 so that no foaming agent can pass into the interior of housing part 18.<sup>5</sup>

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With the inventive spray gun the foaming agent passes from the pressure can (not shown) via connecting part 3 into the interior of housing part 17 which is closed at the back, from housing part 18 bearing handle part 6, by a dividing wall through which nozzle needle 12 is guided centrally. Obviously suitable sealing elements are present to prevent foaming agent from entering the interior of housing part 18 from the back.<sup>6</sup>

Thus, housing part 18 cannot satisfy Applicants claimed spray gun inlet and the rejection of Applicants' claims on the basis of Morck should be withdrawn.

On February 26, 2009, Applicants' undersigned representative discussed this with Examiner Hwu by telephone. At the conclusion of the discussion, the Examiner acknowledged

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<sup>3</sup> See Column 3, lines 56-61.

<sup>4</sup> See Column 4, lines 20-21.

<sup>5</sup> See Column 4, lines 7-11.

<sup>6</sup> See Column 5, lines 46-53.

that, in the context of Applicants' claimed invention and Morck, snap-in system 30 should not be equated with Applicants' claimed spray gun inlet. Instead, the Examiner posited that connecting part 3 in Morck could correspond to Applicants' claimed connector means. Anticipating that the Examiner will now evaluate Morck in this way, Applicants submit that such an interpretation still fails to reach their claims for at least two reasons.

*First*, connecting part 3 is *not* "releasable for detaching the outlet from the inlet" as called for in Applicants' claims. Under the foregoing interpretation of Morck, presumably the inlet is considered to be located where connecting part 3 is joined to the rest of housing part 17. But connecting part 3 is not releasable from this.

*Second*, connecting part 3 does *not* permit "rotation of the outlet relative to the inlet while the reservoir is attached to the spray gun" as required by Applicants' claims. The outlet and the inlet rotate together.

In view of the above, it is submitted that the application is in condition for allowance. Examination and reconsideration of the application is requested. If the Examiner has any continuing questions or concerns regarding the application, he is encouraged to directly contact Applicants' undersigned representative at the telephone number shown below.

Respectfully submitted,

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Date

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